

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
JUNE 22, 2006
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:07a.m. Chairperson Schultz adjourned the meeting at 6:05 pm.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz- present
Vice-Chairperson Kathleen Garcia-present
Commissioner Carolyn Chase-present
Commissioner Robert Griswold-present
Commissioner Gil Ontai-present
Commissioner Dennis Otsuji- present
Commissioner Mark Steele- present
Mary Wright, Planning Department – present
Gary Halbert, Development Services-present
Doug Humphreys, City Attorney- present
Sabrina Curtin, Recorder-present

ITEM 1: **ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:**
None.

ITEM 2: **REQUESTS FOR CONTINUANCE:**
Item No. 11 was continued to June 29, 2006.

ITEM 3: **REQUESTS FOR ITEMS TO BE PLACED ON THE CONSENT AGENDA:**
9, 12, 15, 22, and 23 were placed on the consent agenda.

ITEM 4: **DIRECTOR'S REPORT:**
Bill Anderson spoke of the departure of Commissioner Steele

ITEM -5: **COMMISSION COMMENT:**
All the Commissioners spoke of Commissioners Steels departure.

Commissioner Garcia announced the APA workshop on July 14, regarding parking.

Commissioner Chase requested a response on a public records requests and what is the policy. Ms. Chase also wanted more information on the RTIP list.

ITEM-7 *Trailed from June 15; was continued from May 18, 2006:*

*** SCRIPPS WISTERIA – EXPEDITE PROGRAM - PROJECT NO. 53037**

Leslie Goossens gave a brief update since the item was last heard.

Public testimony was closed at the last hearing on June 15, 2006.

COMMISSION ACTION:

MOTION BY COMMISSIONER GRISWOLD TO APPROVE THE PROJECT AS OUTLINED IN REPORT NO. PC-06-146 TO THE PLANNING COMMISSION, WITH THE RECOMMENDATION; THE CITY'S TRAFFIC OPERATION DEPARTMENT EVALUATE THE 10, OPERATIONAL TRAFFIC IMPROVEMENTS, SPECIFICALLY NO. 6, 7, 8, AND 9 PRESENTED BY THE PLANNING GROUP. Second by Commissioner Ontai Passed by a 4 -2 with Commissioner Chase, Garcia voting nay and Commissioner Steele recusing. Resolution No. 4068-PC

ITEM-8: *Continued from April 13, 2006:*

4857 NARRAGANSETT TENTATIVE MAP– PROJECT NO. 71122

Cory Wilkinson gave a brief update since the item was last heard

Speaker slips submitted in favor by Scott Peters

Speaker slip submitted in opposition by Jeffrey Mackay.

COMMISSION ACTION:

MOTION BY COMMISSIONER GRISWOLD TO DENY STAFF'S RECOMMENDATION AS OUTLINED IN REPORT PC-06-013 DUE TO THE INABILITY TO MAKE FINDING NO. TWO:

THE DECISION MAKER HAS CONSIDERED THE EFFECTS OF THE PROPOSED SUBDIVISION ON THE HOUSING NEEDS OF THE REGION AND THAT THOSE NEEDS ARE BALANCED AGAINST THE NEEDS FOR PUBLIC SERVICES AND THE AVAILABLE FISCAL AND ENVIRONMENTAL RESOURCES (LAND DEVELOPMENT CODE SECTION 125.0440.H AND STATE MAP ACT SECTION 66412.3).

Second by Commissioner Ontai. Passed by a 70 with Commissioners Griswold voting nay and Chairperson Schultz not present. Resolution No. 406 9-PC

ITEM-9: *Continued from April 13, 2006:*

4945 NARRAGANSETT TENTATIVE MAP- PROJECT NO. 71127

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-014 TO THE PLANNING COMMISSION; WITH THE CONDITION THAT TREES ARE PLANTED ON THE PROPERTY AND TRELES ARE INSTALLED OVER THE PARKING AREA.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE

STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY MANAGER.

Second by Commissioner Chase. Passed by a 6-1 vote with Commissioner Griswold voting nay. Resolution No. 4070-PC.

ITEM-10: *Continued from March 2,& April 20, 2006:*

4838 SANTA CRUZ TENTATIVE MAP – PROJECT NO. 71135

COMMISSION ACTION:

Motion by Commissioner Griswold to deny the project as outlined in Report No PC-06-058. Fails due to a lack of a second.

MOTION BY COMMISSIONER GARCIA TO CONTINUE INDEFINELY TO ALLOW THE APPLICANT MORE TIME TO PROVIDE A CERTIFIED INSPECTION REPORT. Second by Commissioner Chase. Passed by a 6 -1 vote with Commissioner Griswold voting nay

ITEM-11: *Continued from April 13 and May 25, 2006:*

HAMPTON SQUARE TENTATIVE MAP– PROJECT NO. 63383

COMMISSION ACTION:

MOTION BY COMMISSIONER GARCIA TO CONTINUE TO JUNE 29, 2006, AS REQUESTED BY STAFF.

Second by Commissioner Chase. Passed by a 7-0 vote.

ITEM-12: *Continued from May 25, 2006:*

4181 41st STREET VESTING TENTATIVE MAP - PROJECT NO. 84384

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-159 TO

THE PLANNING COMMISSION; WITH THE CONDITION THAT TREES ARE PLANTED ON THE PROPERTY AND TRELES ARE INSTALLED OVER THE PARKING AREA.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY MANAGER. Second by Commissioner Ontai Passed by a 5-2vote with Commissioners Steele and Griswold voting nay. Resolution No. 4071-PC.

ITEM-13: *Continued from May 25, 2006:*

***CONGREGATION ADAT YESHURUN – PROJECT NO. 48457**

Robert Tucker presented Report No. PC-06-126 to the Planning Commission.

Speaker slips submitted in favor by Mitchell Berner, Jeff Wohlgelernter, Karl Jacobs, Joyce Abrams, Michael Rosen, Morris Casuto, Irving Samit, Dr. H Mazanslt, Leon Kanner, Jeremy Cohen, Max Slomiarski, John Stump, Arthur Michel, Jonathan Michel, Mitchell Perlitch, David Hastings, Jay Slore, Gerslof Horowitz, Hilda Cotten, Lea Cohen, Janet Klein, Paul Dathow, Joel Rosen, Mark Ellis, Beth Keyman, Gila Saxe, Keigh Saxe, Michael Breslauer, Jeffrey Lazarow, Jennifer Lazarow, Audrey Jacobs, Frances Lobman, Chana Gonzalz, Suzanne Marcus, Roy Slavin, Sandra, Saucet, Megan Marcus, Lauren Marcus, Andrew Breskin, Manijen Bredskin, Cloye Jones, David Ellman, Craig Rubinoff, Mohtaram Shodpour, Micheal Cobb, Wendy Burk, Harold Frysh, Floribeth Rappoport, Eva Eiseman, Jamih Eiseman, Barry Kassar, Ara Kassar, Scott Rappoport, Michael Genin, Joseph, Resnitiuff, Susan Thomas, Tina Malka, Dror Yahalom, Elissa Zylberchlag, Dov Borok. Bernice Borok, Diane Shachat, Protima Yahalom, Claire Ellman, Danielle Marcus, Diane Boomer, Charles Jaffe, Orin Green, Sarale Fradkin, Ynev Gobistchen, Hollie Kahn, Randi Grush, Michel Benaroch, Felicia Belcher, Irwin Belcher, Rabbi Zalman Caclebach, Eli Fradkin, Shmuel Fradkin, Morris Derey, Liraz Avioaz, Boaz Zuzan, Motte Fradkin, Robert Mojar, David Levine, Beatriz Frias, Kevin Murray, Abbott Masters

III, Marvin Weiss, Robert Sarlin, Karen Ziolo, Cherylyne Rivera, Gordon Williams, Jessica Kipferberg, Julie Datriow, Judith Baitner, Avi Baitner, Jonathan Roth, Stacey Roth, Florence Klinhberg, Irwin Belcher, Judy Lewin, Aaron Lewin, Zachary Dimenstein, Howard Schraub, Jaime Breziner, David Federman, Monica Federman, Necham Carlbech, Leah Fradkin, Musy Fradkin, Tsvi Goldenberg, Aaron Huttman, Simcha Weiser, Yonait Fradkin, Mannie Edelstein, Gail Edelstein, Basil Abromowitz, Michelle Abromowitz, Ronni Rubinoff, Alan Shein, Isaius Walfeuzou, Linda Signer, Diane Shore, Martin Pamensky, Karen Horowitz, jack Forman, Micha Adler, Mary Feifer, David Feifel, Irina Genin, Arthur Klitosky, Jay Shore, Diane Shore, Gershon Horowitz, and Mathew Wetzman.

Speaker slip submitted in opposition by Marilyn Olson, Annette Richie-Buis, and Sherri Lightner

COMMISSION ACTION:

Motion by Commissioner Griswold to deny the project as outlined in the staff report, due to the possible maintenance required and the impact to the neighborhood. Second By Commissioner Chase. Fails by a 2-4 vote with Commissioners Schultz, Garcia, Otsuji, and Ontai voting Nay and Commissioner Steele recusing.

MOTION BY COMMISSIONER OTSUJI TO APPROVE STAFF’S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-126 TO THE PLANNING COMMISSION WITH FOLLOWING CONDITIONS.

1. CITY ENGINEER WILL WORK ON THE LIMITATION OF ZIGZAG THE LINE;
2. WORK WITH STAFF ON THE COLLOCATION OF 5 POLES;
3. THE LINE OF SIGHT OR ANY TREES WILL NOT BE AFFECTED BY THE PLACEMENT OF THE LINE.
4. REFLECTORS WILL NOT BE INSTALLED, AS STATED IN AREA 10.
5. WRITTEN MAINTANCE PLAN PRESENT BY THE APPLICANT EXECEPTED.
6. ANNUAL REPORTING TO THE PLANNING GROUP AND CITY STAFF ON ANY BREAKAGE AND HOW LONG THE REPAIRS TAKE.

Second by Commissioner Chase. Passed by a 4-2 vote with Commissioners Chase and Griswold voting nay and Commissioner Steele recusing.
Resolution No. 4049-PC

ITEM-14: *Continued from May 25, 2006:*

4455 WILSON TENTATIVE MAP - PROJECT NO. 81197

COMMISSION ACTION:

MOTION BY COMMISSIONER GARCIA TO CONTINUE TO DATE UNCERTAIN TO ALLOW THE APPLICANT MORE TIME TO PROVIDE

INFORMATION REQUESTED BY THE COMMISSIONERS. Second by Chase. Passed by a 6-1 vote with Commissioner Griswold voting nay.

ITEM 15: *Continued from May 25, 2006*

3829 MARLBOROUGH TENTATIVE MAP – PROJECT NO. 84172

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF’S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-182 TO THE PLANNING COMMISSION.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY MANAGER. Second by Commissioner Ontai Passed by a 6 -1 vote with Commissioner Steele voting nay Resolution No. 4073 -PC.

ITEM-16: **MISSION @ PACIFIC BEACH - PROJECT NO. 41256**

Jeff Peterson presented Report No. PC-06-163 to the Planning Commission.

Speaker slip submitted in favor by Paul Ross

Speaker slip submitted in opposition by Richard Pearson, Donna Lynaugh, Ed Lynaugh, Suzanne Landa, Jenny Callan, Kaitlin Callan, Dawn Kamali, Ezequiel Lujan, Kathleen Lippitt, Monica Green, Jame Talia, Janie Bishop, Maria Mikus, Laurence Wright, Marcie Beckett, Barry John Schneider, Kathy Mateer, Rob Willis, Pat Lettieri, Joanne MacLean, Sandra Thompson, Barbara Greene, Elizabeth Dreisbach, Alex Rosen.

COMMISSION ACTION:

MOTION BY COMMISSIONER STEELE TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-163 TO THE PLANNING COMMISSION WITH ADDITIONAL CONDITIONS;

1. THE ALLEY ACCESS IS ELIMINATED. THIS IS A DEVIATION TO THE SDMC WITH THE FINDINGS; GIVEN THE SITE CONSTRAINTS TO THE ALLEY AND TO MINIMIZE THE IMPACT TO THE ADJACENT COMMUNITIES.
2. PROVIDE A MINIMUM OF 48 ON-SITE PARKING SPACES,
3. THE ROOF MOUNTED SOLAR PANELS BE AT A MINIMUM OF 50% AND DO NOT EXCEED THE BUILDING'S 30 FOOT HEIGHT LIMIT.

Second by Commissioner Ontai. Passed by a 5-0 vote with Commissioners Griswold and Chase recusing. Resolution No. 4074-PC.

ITEM-17: *Taken out of order; was heard after Item No. 18*

***ALEXANDRIA TECHNOLOGY CENTER-SORRENTO VIEW PROJECT NO. 4466**

Tim Daly gave a brief description of the project

Speaker slip submitted in favor by Mike Asaro, Delawie Wilkes, and Mark Rowson.

No one present to speak in opposition.

COMMISSION ACTION:

MOTION BY COMMISSIONER CHASE TO ALLOW THE APPLICANT TO COME BACK WITH A TRANSPORTATION DEMAND MANAGEMENT PLAN. Second by Steele. Passed by a 6-0 vote with Commissioner Griswold not present .

ITEM-18: *Taken out of order; was heard before Item No. 17*

NESTOR TOWN CENTER-CPA-INITIATION - PROJECT NO. 100402

Theresa Millette presented Report No. PC-06-133 to the Planning Commission.

Speaker slip submitted in favor by Daniel Rehm, Peter Fagrell, Denise Seider.

Speaker slip submitted in opposition by Robert Riddle, Stewart Pool III, and Deborah Nallen.

COMMISSION ACTION:

Motion by Commissioner Griswold to deny the initiation as presented in Report No. PC-06-133. Motion was withdrawn.

MOTION BY COMMISSIONER ONTAI TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-133 TO THE PLANNING COMMISSION. Second by Commissioner Garcia. Passed by a 4 -1 vote with Commissioner Griswold voting nay, Commissioners Steele, and Otsuji recusing. Resolution No. 4075-PC.

ITEM-19: BUISNESS IMPROVEMENT DISTRICT PUBLIC RIGHT-OF-WAY PROGRAM.

Vena Lewis presented Report No. PC-06-183 to the Planning Commission.

Speaker slip submitted in favor by Jay Turner, Deborah Marengo, Tiffany Sherer, Gina Minelli, Gil, Peter Wagener, Doc Wussler, Henry Ota, Griselda, Matthew Herney.

Speaker slip submitted in opposition by Sherri Lightner, and John Stump

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER STEELE TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-183 TO THE PLANNING COMMISSION WITH THE ADDITIONAL CONDITIONS; INCORPORATE THE PLANNING GROUPS RECOMMENDATIONS; ADD BOOKS. Second by Commissioner Otsuji Passed by a 6-0 vote with Commissioner Griswold not present. Resolution No. 4076-PC.

ITEM-20: 4516 IDAHO STREET TENTATIVE MAP- PROJECT NO. 76106

Will Zounes presented Report No. PC-06-136 to the Planning Commission.

Speaker slip submitted in favor by Scott Peters.

No one present to speak in opposition.

COMMISSION ACTION:

MOTION BY COMMISSIONER STEELE TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-136 TO THE PLANNING COMMISSION; WITH THE ADDITIONAL CONDITION THAT THE BUILDING CONDITION REPORT ADDRESS THE STRUCTURE TO SEISMIC CODE.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY MANAGER. Second by Commissioner Chase. Passed by a 6-0 vote with Commissioners Griswold not present. Resolution No. 4077 -PC.

ITEM-21: 3975 MISSISSIPPI TENTATIVE MAP - PROJECT NO. 67420

Derrick Johnson presented Report No. PC-06-184 to the Planning Commission

Speaker slip submitted in favor by Joseph Scarlatti

No one present to speak in opposition.

COMMISSION ACTION:

Motion by Commissioner Chase to approve staff's recommendation at outlined in Report No. PC-06-184 to the Planning Commission.

Second by Commissioner Ontai. Fails by a 2-4 vote with Commissioners Garcia, Otsuji, Steele and Schultz voting nay.

MOTION BY COMMISSIONER GARCIA TO DENY THE PROJECT AS RECOMMEND BY STAFF OUTLINED IN REPORT NO. PC-06-136 TO THE PLANNING COMMISSION. DENIAL IS BASED ON FINDING NO. 2, AND THE IN ABILITY TO PROVIDE ON-SITE PARKING, ONE PER UNIT.

Second by Commissioner Otsuji Passed by a 4-2 vote with Commissioners Griswold not present. Resolution No. 4078 -PC.

ITEM-22: 4388 DELTA STREET TENTATIVE MAP - PROJECT NO. 78973

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-185 TO THE PLANNING COMMISSION.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

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ITEM-23: 525 28th STREET TENTATIVE MAP - PROJECT NO. 71363

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-186 TO THE PLANNING COMMISSION.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

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INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY MANAGER. Second by Commissioner Ontai Passed by a 6 -1 vote with Commissioners Griswold voting nay. Resolution No. 4080-PC

Chairperson Schultz adjourned the Planning Commission meeting at 6:05 pm.